

T H E
C A S E
O F T H E
F R E E - C I T I Z E N S of *Dublin*.

THAT the Citizens of *Dublin*, have ever approved themselves loyal Subjects to his sacred Majesty, and were eminently zealous for the Succession of the Crown, in the illustrious House of *Hanover*, at a Time, when that Succession was brought into Danger, by the illegal and violent Proceedings of a corrupt Ministry.

THAT notwithstanding their peaceable and regular Behaviour; notwithstanding their Resignation and Submission to the unparalleled Indignities, which they have lately borne, they have been traduced as factious and seditious,—as impatient under the legal and constitutional Dependence on the Crown of *England*,—as jealous of the Powers of their fellow Subjects, with whom they are so closely connected by the same religious and civil Rights.

THAT such Misrepresentations of the Conduct and Principles of the Majority of the Citizens of *Dublin*, do tend to nothing less than to create Discontent and Jealousies amongst us, and have actually divided this City into two Parties; the free Citizens on one Hand, and their Traducers and all the Dependants on their Power and Station on the other.

THAT the free Citizens, in all their former, or late Contentions, have never desired more than a Restitution of those Rights as Citizens, which they apprehend they are intitled to, by the Laws and Constitution of their Country; that the Majority of them could not be benefited with Relation to their particular and private Interest, even had they succeeded; other than in being each Man instrumental in restoring to his Brethren, that Liberty, or that Power, with Relation to the Publick, which alone distinguishes the Subjects of a free and limited Monarchy, from the Slaves of an arbitrary Prince.

THAT the opposite Party have many private Ends to serve, by creating such unhappy Divisions in the City, and in the Kingdom; that they thereby secure to themselves, all the lucrative and honourable Employments;—indulge their own Appetites for tyrannical Oppression on their Inferiors, and slavish Dependence on their Betters; that they are so jealous of their Power so surprizingly acquired, and so wantonly exerted, that from the Time of the late Election in the City, (in which it is not disputed, that the free and independent Citizens were a great Majority,) few Men, who have voted for the Merchants, have been of any Grand-Jury; that no Excuse, even of Consanguinity, or Alliance, could be accepted of, for that irremissible Crime, having voted even for one of the Merchants;—that a * very honest Man has been dismissed from an Employment, and † the most popular and justly esteemed of all the Board of Aldermen, has been twice set aside from the Chair of the City, upon no other Account than that they had voted, the one for his Brother, and the other for his Nephew; tho' both of them had given their other Vote to the Alderman, whose Power has since been the only Cause of the Injustice done them.

THAT the Grand Juries of the City of *Dublin*, thus empanelled, and for the greater Part composed of Men in the greatest Opposition to the free Citizens, have been encouraged to present Books and Papers, which many of them confessed they had not read, nor considered; and some which contained nothing besides a Vindication of the free Citizens from the impudent and scandalous Forgeries and Falsehoods, published by an anonymous and scurrilous Author.

THAT the Printer of these Papers has been committed and detained in *Newgate*;—that the free Citizens, judging of what great Importance the Liberty of the Press was to the Subject, did endeavour as much as in them lay, to relieve and assist the Prisoner, and to procure him a speedy Tryal; that two substantial Citizens had, upon his first Committal, offered Bail for his Appearance; that he was detained in Goal five Nights before the Court would resolve to accept of Bail, notwithstanding a Representation of an eminent Physician of his bad State of Health. That it was then insisted that this Bail should be for the good Behaviour of the Printer, as well as for his Appearance; that this frightened the Bail from the Court, and so terrified the Prisoner, that he turned, as the free Citizens were informed, Evidence for the King; and that the free Citizens, who were from the first inclinable that the said Printer should come to his Tryal, that the Nature and Extent of his Crime might be known, were advised,

* Mr. A — T — s.

† A — n D — r.

that they might be punished for intermeddling any farther, and that any might be attached, who should be suspected to have tampered with, what was now called, a King's Witnefs.

THAT the said Printer was detained thirteen Days after his having put his interests in other Hands, and was then discharged without any Tryal, but upon what Conditions, the free Citizens cannot set forth; that however such Proceedings may be conformable to Law in this Country, where the Subject has not the benefit of an *Habeas Corpus Act*; the Hardships which the Printer has undergone, and the Conditions upon which it is supposed he received Mercy, have so cramped the Press, that the free Citizens cannot find Means to publish the most innocent Vindications of their Conduct; whilst the Press is open and free to their Antagonists, to publish all manner of Calumny and Libels against them; and that a † Bookseller, who had, during the late Vacancy, published Papers on both sides of the Question, has, from Prudence, suppressed in his late Advertisement of Books and Pamphlets, all those which were printed by him on the Side of Truth and Liberty.

THAT the free Citizens, whilst the Press was thus shut to them, had no other publick Method left to vindicate themselves, but by endeavouring to traverse or quash § a *Presentment* made by the late Grand Jury, against the innocent || Declarations and Vindication of the Corporation of *Barbers*, &c. and * of the Corporation of *Hofiers*.

THAT by the voluntary Contributions of the free Citizens, the *Barbers* were enabled to move the Court of *King's Bench* on the 23d Instant, that the said Presentment, so far as it related to the Resolutions of their Corporation, should be quashed; and that they should be permitted to shew that their Proceedings and Resolutions, were neither scandalous nor seditious, as set forth in the said Presentment.

THAT the Court refused to hear the said Motion argued, because the said corporate Body could not suffer either corporal Punishment or Imprisonment, and because the said Presentment was not made against their Persons, but against their Proceedings and Resolutions.

THAT the Corporation of *Barbers*, desirous to have their Characters cleared, and the nature of Libels ascertained, did procure one of their Brethren to appear in the Court on *Monday* the 28th Day of *May*, Instant, to avow the said Declaration of the Corporation. That the Court did insist on full and sufficient Bail for him, which was immediately offered; that the Court did then object against the Traverser, as not being considerable enough, and asked whether there was any Body else of the *Barbers* who would avow the said Declaration: That this put one of the *Barbers* (a Gentleman well known in the City) under the Necessity of avowing himself to be one of the Authors of the Declaration of *Barbers*; that this his Confession was recorded by the Court, and the first Traverser, as well as he, permitted to go away without any Bail, either for Appearance or good Behaviour.

THAT this Traverse is to be argued next Term, and, if the Enemies of the free Citizens can so far prevail, the Citizen who has thus stood in the Gap, will be indicted and tried for publishing what the late Grand Jury has been pleased, on their Oaths, to present as *scandalous* and *seditious*.

THAT the free Citizens have been at a very considerable Expence in prosecuting their Rights, and in vindicating their Innocence. That in the Year 1744, they had moved the Court of *King's Bench*, for an Information against one of the Aldermen, in order to try the main Question and Dispute between them and the Board, touching the Right of Election of Aldermen: That the Expences of the Aldermen were paid out of the ordinary Revenue of the City of *Dublin*, and no Allowance made to the free Citizens for their Expence in endeavouring to get that important Question decided.

THAT the free Citizens are not the richest or most powerful in the City,—That they have no City-Office, Place, or Pension in their Gift, to bring over or to retain in their Party any Man from a View to his private Advantage; but that all such Offices, Places and Pensions, are engrossed by their Opposites, who, by Promises and Gratifications may, and do, insist into their Service, many, otherwise, well-disposed and loyal Citizens.

THAT the Expences which the free Citizens have hitherto chearfully borne,—the Discouragements and Insults they have patiently endured, may, it is feared, prove at last too burthensome to bear, and that they may be exposed to the Rage and Malice of their Adversaries, unless assisted by the Countenance, Authority, and Contributions of others who are not free of their City.

THAT the free Citizens do esteem their Cause to be the Cause of the whole Kingdom; and the Preservation of their Rights as the best Service they are able to do their Country; seeing that if so considerable a Body may be oppressed in the Capital, the same Methods may be

used to enslave and oppress their Fellow-Subjects in other Places, where the Power of the many may be invaded and usurped by a few considerable Men, who may themselves become the Vassals and Slaves of their Superiors in Station or Authority.

THAT it is not true what has been so confidently asserted, that the Trade of this Kingdom has been injured by these Divisions; for that the free Citizens have always treated their Adversaries with becoming Friendship, and have traded with them indiscriminately with those of their own Party.

THAT it is no less false, that their Divisions have occasioned Riots and Tumults in the City, for that there never was in the memory of Man, so peaceable an Election as the last; nor did the free Citizens ever offer any Insult to their Adversaries, but on the contrary, have with unexampled Patience, born all the Insults and ill Usage which had been offered them, and submitted themselves with exemplary Resignation to the ill Success their Endeavours have met with, and to the cruel return which have been made to their approved and peaceable Behaviour.

THAT not one free Citizen has been indicted or even accused for any of the Violences which have been lately committed between an outrageous Mob on one hand, and a military Force on the other.

THAT not one Man who voted for the Merchants, in the Year 1749, gave his Vote for *Fownes* and *Tucker* in the Year 1713.

THAT the Reason of publishing this Case at this Time, is (besides vindicating the Behaviour and Principles of the free Citizens) to invite all the Friends of *Liberty*, to contribute towards the Expence which is daily required, to prevent its Cause from being oppressed, and the Spirit of it extinguished in this City.

THAT the Collectors of these Contributions are well known, and their Characters are sufficient Security to the Publick, that what will be collected shall be laid out in the most frugal Manner, for supporting and preserving the Liberties and Rights of the free Citizens; and that if their Names be not here inserted, it is only because the free Citizens would avoid giving occasion to the next Grand Jury to vent their Rage against particular Men.

THAT when they may do it with Safety, the free Citizens do design to publish the Names of those brave worthy Men, who, both in and out of the City, have distinguished themselves, by opposing the Schemes of the Enemies to the Constitution, and to the Liberty of the Subject, and will pay them all the just tribute of free Men, and will give them all the publick Marks of Gratitude and Respect, whenever publick Honours will be in their Power; and that it will not be a *Reproach* and a *Disadvantage* to be a FREEMAN OF DUBLIN.

May 29, 1750.

§ The Presentment of the Grand Jury of the County of the City of DUBLIN.

Easter-Term, 1750.

WE the Grand Jury of the County of the City of Dublin, Sworn to enquire for our Sovereign Lord the King and the Body of this Court, have, with a sensible Concern, observed that the Peace and Commerce of this Metropolis have been for some Time past, much interrupted, by the publication of many Scandalous and Seditious Libels, composed by wicked and designing Men, in order to raise Discontents and Divisions among his Majesty's Subjects, and to propagate among them a Spirit of Disaffection and Disobedience to lawful Authority. These audacious Insults have been made on the most sacred and best Characters. The Dignity of the Legislature and Magistracy, and the quiet of private Families have been equally exposed to these Outrages. Moved by these Considerations, and by a just Apprehension of the dreadful Consequences which must follow from such an utter Disregard to the Laws, to all Decency, and to all Order, as the Libels are evidently calculated to promote,

We do Present as Factions, and Scandalous, and Seditious Libels, the several Papers printed (as 'tis said) by James Esdall, and entitled, "The Censor: or the Citizens Journal." By Frank Somebody, Esq; No. 1. No. 2, No. 3. No. 4. No. 5. No. 6.

No. 7. No. 8. No. 15. No. 26. we present particularly as Scandalous and Seditious, the Paragraphs in the last mentioned Number of said Papers, purporting to the Declarations or the Resolutions of the Fraternities of Barbers and Hofiers.

We also Present a Book or Pamphlet printed (as 'tis said) by James Esdall, and entitled, "The Great Charter of the Liberties of the City of Dublin." Transcribed and Translated into English, with Explanatory Notes, Addressed to his Majesty, and presented to his Lords Justices of Ireland, by Charles Lucas, a Free Citizen; as a False, Scandalous, Factions and Seditious Libel, composed and published with an Intention to defame the Legislature and the Administration of Justice in this Kingdom.

We also Present as Scandalous, Factions and Seditious Libels, the several Books or Pamphlets entitled, "To the Free Citizens and Freeholders of the City of Dublin, a second Address to the Free Citizens and Freeholders of the City of Dublin; a fourth Address to the Free Citizens and Freeholders of the City of Dublin; a tenth Address to the Free Citizens and Freeholders of the City of Dublin; an eleventh Address to the Free Citizens and Freeholders of the City of Dublin; and also, a fiveteenth Address to the Free Citizens and Freeholders of the City of Dublin; Printed (as 'tis said) by James Esdall.

We

We also present as a Scandalous, Factious, and seditious Libel, a Paper printed (as 'tis said) by James Efdall, and intituled, 'Efdall's News-Letter, No. 382, Wednesday April 25, 1750.' And we humbly desire, for the Good of this Country in particular, and of the Nation in general, that this Court will take these Grievances into Consideration, and apply the proper Remedies, that so the Peace and Industry of the City may be reserved, and the Compositors and Publishers of the said Libels may speedily be brought to condign Punishment, to the Terror of all such like Transgressors of the Laws of this Realm; and we pray that the said several Libels may be burned by the Hands of the common Hangman.

| | |
|------------------|-------------------|
| HENRY HART, | Charles Nobileau, |
| CHARLES BURTON, | Edward Hendrick, |
| JOHN COOKE, | Archbold Adair, |
| RALPH BLUNDELL, | William Massey, |
| Geo. Tucker, | Sampson Theaker, |
| Thomas White, | Richard Phephoe, |
| John Forbes, | Andrew Goodwin, |
| Thomas Hawkshaw, | Edward Constable, |
| Geo. Reynolds, | Jacob Poole, |
| Charles Leslie. | |

—Note, that Mr. JAMES VAREILLES, Merchant, and Mr. CHARLES COLEMAN, Upholsterer, were on the above Jury, and refused to joyn in the above Presentment.

WHEREAS a false and scandalous Pamphlet, entitled, *An Examination of the Facts, and a Detection of the impudent Falsehoods and gross Misrepresentations contained in a Pamphlet, entitled, A Critical Review of the Liberties of BRITISH SUBJECTS, &c.* said to be first printed in London, was lately published here, wherein (Page 7,) twenty-one Corporations of the City of Dublin, are traduced and vilified, under the false and odious Appellations of *packed Assemblies, tremendous Mobs, seditious Multitudes of Papists, &c.* and their Proceedings relative to their presenting the Candidates on the Principles of LIBERTY, with their Freedom or Thanks, are most impudently misrepresented; which scandalous Libel, appears visibly calculated with an evil and sinister Intent, to calumniate and asperse this populous and loyal City, as far as lay in the Power of so poor and infamous a Scribler.

Now, We the MASTER, WARDENS, and BRETHREN of the Corporation of Barbers, Chirurgeons, &c. do hereby declare, that the sole Reasons We had to compliment Mr. CHARLES LUCAS with the Thanks of this Corporation, and with a Signet Ring, were from the Sense We had of the Services he had done to Us, and to all the Friends of LIBERTY, by his Attachment to the Rights of the Commons and Citizens, against the Encroachments of the Board of Aldermen, and for his well tryed and steady Attachment to his MAJESTY's Person and Government, and to the CONSTITUTION of his COUNTRY. And that it was from the like Motives that We presented Mr. JAMES DIGGES LATOUCHE with the Freedom of our Corporation, and returned him, with said LUCAS, as one of our Representatives in Common-Council; and We do think ourselves obliged to declare, that during the late Vacancy, there never was in our Hall, any, the least Dispute or Riot, on

occasion of the Thanks We returned to either of those Candidates, or at any Time, when We admitted whatever Persons were desirous to hear what any of the Candidates had to offer in our Hall; nor did We ever hear or know of any factious or clandestine Arts used to obtain the Freedom of the said Candidates in any Corporation, as falsely asserted in said Libel: And We hope this Specimen of the Veracity and Ingenuity of the Author of that Pamphlet, will be sufficient to warn the Publick, what Degree of Credit ought to be paid to the other Assertions therein contained.

AND, We are resolved, in Conjunction with the rest of the injured and libelled Corporations of this City, to prosecute to the utmost Rigour of the Law, the Writer or Writers of such impudent Falsehoods.

GIVEN at our Hall in Back Lane, the 23d Day of April, 1750. Ordered, that the foregoing Resolutions be printed in the publick News Papers.

Signed by Order,

DANIEL BOURNE, Clerk of said Guild.

***W**HEREAS a false and scandalous Pamphlet, entitled, *An Examination of the Facts, and a Detection of the Falsehoods and Misrepresentations contained in a Pamphlet, entitled, A Critical Review of the Liberties of British Subjects, &c.* hath been lately published here, in which the honest and loyal Citizens of Dublin, are traduced as *Popish Mobs, and seditious Multitudes*; and, whereas the Manner of presenting Mr. CHARLES LUCAS with his Freedom of twenty-one Corporations, is represented in such a false and scandalous Manner, as if he had obtained this Honour by illegal or sinister Means, and such as highly reflect on the Integrity and Loyalty of the said Corporations of the City of Dublin, and audaciously tends to create Divisions between Us and our worthy Brethren, the Subjects of Great Britain; for whom this Pamphlet seems to be calculated with a base and selfish Intention; now, We the MASTER, WARDENS and BRETHREN of the Corporation of HOSIERS, assembled at our Hall, on Monday the twenty-third of April, do declare, that the Assertions contained in the said Pamphlet, are false and scandalous, as far as they relate to our Corporation; for We declare that We gave the Freedom of our Guild to the said LUCAS, from a Principle of Gratitude, for the many Services he did to Us in particular, many Years before a Vacancy to represent Us in Parliament; and from a strong Conviction of his worthy Intentions and great Abilities to serve our City in general.

We likewise declare, that a Conviction of the like Motives to serve Us in particular, and our City in general, in the Point of Trade and other useful Measures, induced Us to confer the Freedom of our Corporation, and other Honours, on Mr. JAMES DIGGES LATOUCHE.

We further declare, that We never saw any *Popish Mobs*, nor heard any *seditious Discourses* in our Hall, as this scandalous Libeller falsely asserts; and that it is our fixed Resolution to prosecute to the utmost Rigour of the Law, in Conjunction with the other libelled Corporations of this City, the Author of the above-mentioned Falsehoods.

PRINTED by Order of the Corporation. Given on the 23d of April, 1750, at our Hall in Smock-Alley.